

REMARKS

Responsive to the aforementioned Office letter, the Examiner stated that the continuity statement on page 3 must be updated to reflect the status of non-provisional applications. The applicant has, very carefully, checked the status of each of the previous applications and it is believed that the current status is now reflected on page 3.

Applicant has reviewed the specification and has found a few informalities which required correction. The applicant has made these corrections to avoid any such informalities.

The objections to the disclosure advanced by the Examiner have all been carefully considered and the specification has been amended to ensure that all informalities have been obviated. The Examiner's action in bringing such informalities to attention is sincerely appreciated.

The applicant realizes that several changes have been made to the specification both in the applicant's previously filed preliminary Amendment A and in this present Amendment B. The applicant is herewith filing a copy of portions of pages 4, 8 and 10 of the specification which contains those changes made in this present Amendment B. The applicant is also filing a substitute specification containing changes made to the specification in applicant's Amendments A and B. It is believed that this substitute specification should thereby enable easier examination

and printing of the application. No other changes have been made other than those identified.

The applicant has also made several changes to the drawings to ensure that the drawings properly conform to the specification and that the specification properly conforms to the drawings. All changes which have been made to date in the drawings are incorporated in this set of sketches in red. The applicant is arranging for formal drawings to be prepared incorporating such changes and will file such formal drawings upon approval by the U.S. Patent and Trademark Office.

The objection to Claim 12 has been obviated in accordance with the recommendation of the Examiner and this recommendation is also sincerely appreciated.

Claims 1-5, 19 and 20 were rejected as being unpatentable over Hensler in view of Gehweiler, Blum and Beilharz. The Examiner seems to take the position that Hensler has a ground cover substrate with path forming elements presenting a pattern for the controlled movement of a group of pedestrian individuals. There is not even the remotest suggestion that the borders of Hensler would define a guide path for following by a group of pedestrian individuals. Indeed, if it was so obvious as the Examiner contends, one would ask why Hensler has not been used in the fashion suggested by the Examiner. The fact remains that it has not been so used for this purpose, notwithstanding the fact that

the mats of the present invention have already achieved a commercial success.

Interestingly, the Examiner even admits that Hensler does not teach the end of the line element or the plurality of path forming elements or the guidepost. However, the Examiner argues that Blum has a floor mat with an end of the line element capable of displaying different pictures or messages and also enables the orderly and controlled movement of pedestrian individuals. The Examiner further argues that Gehweiler discloses the path forming elements. Reconsideration of that position is respectfully urged. First of all, Hensler does not teach of any guide forming path. There is nothing suggesting a pathway of movement in Hensler. The Examiner has had to really stretch the teachings of Hensler to even suggest that there is a pattern for the controlled movement of individuals.

In contrast to the position of the Examiner, there is no end of the line element in Blum. This is due to the fact that the mere displaying of a design or other message does not represent an end of the line element. Again, it is difficult to even suggest there could be an end of the line element when there is nothing disclosing a pathway.

In addition to the foregoing, the applicant must inquire as to the basis for combining Blum with Hensler. If there are no guide forming elements defining a pathway, how can there be an end of the

line element. Moreover, the inquiry must be raised as to what provides the basis for combination. In other words, how does one conclude that the vague suggestion in Blum of an end of the line element, if such were the case, could be combined with Hensler when, as the Examiner admits, there are no pathway forming elements. The Examiner takes the position that Gehweiler discloses the use of discrete path forming elements. Here again, Gehweiler has a design, but nothing suggesting path forming elements. Moreover, there is nothing which suggests combination of Gehweiler with Hensler or Blum.

Notwithstanding the foregoing, there is not one reference of record which discloses an end of the line element with a pair of rows of small discrete path forming elements extending from the ends of that end of the line element. The fact remains that even if Gehweiler disclosed small discrete path forming elements, which it does not, there is nothing in the art of record which suggest the fact that these path forming elements would extend from the ends of the end of the line element. This is a distinction which seems to have been blurred over by the Examiner. It is therefore believed that the references relied upon by the Examiner do not disclose the use of the basic mat as proposed by the applicant.

The Examiner also relied upon Beilharz to disclose the upstanding guidepost. Again, the Beilharz Patent reference cannot respond to the limitations that the upstanding post defines a

change in direction of the path. The Examiner merely states that a physical barrier would be visually apparent to guide pedestrians to an end of the line element and to alert the potential change of direction. However, Beilharz does not disclose that concept. This is mere speculation on the part of the Examiner and it is not a teaching sufficient to respond to Claims 1-5.

These Claims 1-5 now recite that the guidepost is located at a region of the substrate where the pathway of movement changes direction. In addition, the claims recite that the guidepost effectively defines a change in direction of the pathway and cooperates with the small discrete path forming elements to also show that change of direction. Again, it is urged that there is absolutely nothing within the four corners of Beilharz which discloses a guidepost cooperating with any path forming elements and which define a change of direction. Contrary to the speculation of the Examiner, the reference does not show the limitations now incorporated in Claims 1-5. Allowance therefore is respectfully solicited.

Claims 6-13 are all directed to the system for controlling movement of the pedestrian individuals along with the end of the line element and the small discrete path forming elements. In addition, these claims call for the first and second informational messages. Furthermore, clause (e) of Claim 6 calls for the construction of the substrate including the first and second

layers. It is urged that the references of record are devoid of these teachings in several respects.

With regard to the rejection of Claims 6-18, as well as any rejection to the newly added claims, the applicant has previously traversed that rejection based on Hennsler, Gehweiler, Blum and Beilharz. First of all, Beilharz does not add anything to the rejection since Beilharz was cited to shown the upstanding guidepost. Consequently, any rejection of these Claims 6-18 and the newly added claims based on Beilharz is respectfully urged. Notwithstanding, as the Examiner correctly notes, the references cited do not disclose this system of a substrate having a rigid and transparent first layer and a relatively flexible second layer allowing the substrate to be rolled or laid as a rigid mat.

In order to attempt to show the construction of the mat, the Examiner relies upon the Obekkusu Patent. The Examiner contends that Obekkusu discloses a first layer which is relatively rigid and a second layer which is relatively flexible. The Examiner adds that this construction allows the substrate to be rolled or laid as a rigid mat and has an informational message printed on the underside of the first layer. Again, reconsideration is respectfully urged. First of all, the ground cover substrates, as defined in Claim 6 and Claims 7-13, all call for the end of the line element and the discrete path forming elements extending from the ends of the end of the line element. As indicated previously,

and contrary to the position of the Examiner, the references of record do not disclose this concept. Notwithstanding, and even if they did, which is obviously not the case, these references do not disclose the first layer of a relatively rigid material and a second layer of a relatively flexible material.

Contrary to the position of the Examiner, there is essentially nothing in the art of record which calls for a mat to be sufficiently rigid so that it will not curl when disposed on the ground surface and which also allows the mat to be rolled and yet still treated as a rigid mat. It remained for the applicant to provide this construction.

Also, contrary to the position of the Examiner, Obekkusu did not disclose this construction which allowed a relatively rigid but yet flexible and rollable substrate. The Examiner has had to merely speculate and make self-serving contentions that Obekkusu has a mat which is sufficiently rigid that the edges do not curl when the mat is disposed on a ground surface and which is also sufficiently flexible to be rolled. Indeed, a simple reading of Obekkusu will reveal that there is nothing within the four corners of Obekkusu which provides for this type of construction. It is therefore believed that the statement made by the Examiner are completely without any factual foundation and reconsideration of Claims 6-13 is respectfully solicited.

In addition to the foregoing, these claims call for the first and second informational messages. In addition, the claims call for the fact that the messages are readily observable when an individual walks within the pathway of movement and is controlled in that pathway of movement or at the standing location. The references cited by the Examiner dealing with informational messages do not disclose that the messages are located in a defined pathway. One does not know if the messages would ever be readily observed by a pedestrian individual walking in that defined pathway. It is, therefore, further believed that Claims 6-13 distinguish over the prior art and reconsideration thereof is respectfully solicited.

The Examiner has dismissed claims, such as Claim 13 dealing with the materials of construction of the layers and the thicknesses of the layers by merely contending that these limitations would be obvious. Notwithstanding, the Examiner has not cited one reference of record which even discloses or suggests the use of these materials in a mat to produce the construction of the type described above. Consequently, this again is more pure speculation on the part of the Examiner and, in addition, speculation which is absolutely unsupported.

It is difficult to believe that the Examiner could take the position that Claim 13 is obvious when this combination of components produces a unique result, namely that it allows a mat to

be rolled and also allows the mat to be rigid when laid on a ground surface. Indeed, no one has suggested the use of a polycarbonate layer in combination with the acrylonitrile butadiene styrene layer for this purpose. Consequently, it is believed that claims which teach of these materials and the claims which teach of the thicknesses recited remain unanswered by the art of record.


Claims 15-24 are also claims covering a concept similar to that presented in Claims 6 et. seq. These claims contain limitations of varying scope. Nevertheless, and in all cases, they do not appear to be answered by the combination of references cited by the Examiner.

Claim 25 is a claim drawn to a method of controlling the location and movement of pedestrian individuals. This claim also calls for the formation of the pathway of movement so that individuals can proceed to a destination or to a particular location. Again, and for the reasons advanced regarding the other claims in this application, particularly with regard to Gehweiler, Blum, Hensler, and Beilharz, these limitations again remain unanswered. Allowance of Claims 6-25 is therefore respectfully solicited.

In view of the foregoing, favorable reconsideration and allowance is respectfully solicited.

Dated: Sept. 22, 2003

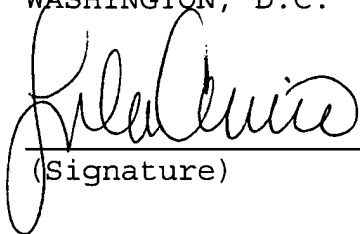
Respectfully submitted,


ROBERT J. SCHAAP
Registration No. 20,577
Attorney for Applicant
(818) 346-6555

C:\Documents and Settings\All Users\Documents\Data\Pharo\09758934\Amendment B

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231 on 9/22, 2003.


(Signature)

Date of Signature: 9/22, 2003

C:\Documents and Settings\All Users\Documents\Data\Pharo\09758934\Amendment B